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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[11 January 1999]

GE.99-10513 (E)

1. The International Federation of Human Rights (FIDH) and its affiliate member, the Association of Human Rights in Turkey (IHD), are concerned about the gross, massive and systematic violations of human rights in Turkey.

2. No real and significant step was taken for the realization of the democratization and respect of human rights by Mesut Yilmaz's Government which terminated earlier than provided at the end of the year, because of the involvement of the Prime Minister in some corruption scandals. Any expected legal changes were not implemented. The year of the fiftieth anniversary of the Universal Declaration of Human Rights and the seventy-fifth anniversary of the Turkish Republic could have given an opportunity for important developments in the field of human rights and democracy. But unfortunately, this opportunity could not be evaluated by those who are in power.

3. About 2,500 cases against Turkey were brought before the European Court of Human Rights. Turkey, with its serious human rights record, remained on the top of the list.

Human rights defenders

4. Attacks and different kinds of repressive practices against human rights defenders and organizations were intensified in 1998. Organized attacks were carried out against the Human Rights Association (HRA) branches and its executives. The HRA branches in Diyarbakir, Mardin, Balikesir and Bursa were closed down. A number of court actions were brought against the executives of the HRA and legal investigations were initiated against them.

5. An armed assault was carried out by two armed persons against Akin Birdal, the President of the HRA and the Vice-President of the FIDH, in the headquarters of the HRA on 12 May 1998. Mr. Birdal was wounded by six bullets. This armed assault took place shortly after the appearence of defamatory news in some daily newspapers and also some TV channels; Akin Birdal was clearly shown as a target. Later, the perpetrators were apprehended. The trial process is continuing. It can easily be understood from the case file that the perpetrators have contacts with those who have official position in the State bodies.

6. Akin Birdal was sentenced to one year in prison by the Ankara State Security Court on 27 October 1998. Mr. Birdal had made a speech on the occasion of World Peace Day, celebrated on 1 September 1998. The SSC, therefore, prevented him from going abroad. Akin Birdal was again sentenced to one year in prison on 17 December 1998, for another speech he made in 1995. There are about 20 court actions brought against Akin Birdal which are still pending.

7. Another human rights association, Mazlum-Der, was subjected to serious pressure by the police in 1998.

The Kurdish question and freedom of expression

8. The Kurdish question remains the focus of the most important and serious human rights violations in Turkey.

9. States of emergency rule and village guard systems still continue in the five provinces situated in eastern and south-eastern Turkey. Pressure and

inhuman treatment continued in 1998 in the states of emergency region. Many villagers were once again evicted and many were forcibly deported. Disappearences of people in south-eastern Turkey increased while extrajudicial killings diminished. Torture remains a common practice in police stations in Turkey with nearly total impunity for the authors. More generally, the civilian population continues to suffer from the military operations in the south-east where 33,000 people have lost their lives since the beginning of the armed conflict in 1984.

10. Any person, human rights defender, journalist, intellectual or writer, if he or she speaks or writes about the Kurdish question and pleads in favour of a peaceful solution, can be prosecuted because of his or her speech or written statements, and accused of being a threat to the integrity of the nation or of discrimination . Many of them were harshly sentenced in 1998 and put in jail to serve unbelievable prison sentences just because of words.

11. The writer-journalist Haluk Gerger, the journalist Ragip Duran and Prof. Yalain Kuçuk were each sentenced to ten months in prison because they expressed themselves on the Kurdish matter. The lawyer Esber Yagmurdereli was sent to prison to serve a 22-year prison term. More than 100 intellectuals, journalists and writers are in prison, in pre-trial detention or detention.

12. Many HADEP (the Kurdish party) offices throughout Turkey, particularly the headquarters of the party, were repeatedly raided by the police. Many court actions were brought against its leaders. All of the HADEP offices in Turkey were raided by police on 19 November 1998. A total of 3,500 HADEP members and leaderss were arrested to be interviewed. A total of 300 HADEP executives and members are still in prison, including the Chairman of HADEP, Murat Bozlak.

13. Many pro-Kurdish or left-wing publications were banned and their offices were closed down. Many periodicals were banned and/or confiscated during the year. Two daily newspapers, Ulkede Gündem and Emek, were closed down.

14. The International Federation of Human Rights (FIDH) and its affiliate member, the Association of Human Rights in Turkey (IHD), call on the Commission to urge the Turkish authorities to implement the recommendations made by the Special Rapporteur against torture and the Working Group on Enforced Disappearances, which both visited Turkey in 1998, and to monitor the situation of human rights in Turkey.